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PATENT

Paper No. 1

File No. NewMktP99-4

Signed

Peter K. Trzymski (Reg. No. 32,801)

Date

20 Dec 1999

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventors : Anthony F. Herbst and Wayne F. Parg
Serial No. :
Filed : December 20, 1999
For : DIGITAL COMPUTER SYSTEM FOR OPERATING
A CUSTOMIZABLE INVESTMENT FUND
Group Art Unit :
Examiner :

The Commissioner of Patents and Trademarks
Washington, D.C. 20231

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY
STATUS (37 C.F.R. §§ 1.9(f) and 1.27(c)) -
SMALL BUSINESS CONCERN

SIR:

We hereby declare that we respectively are each an official of the
respective small business concerns empowered to act on behalf of the respective
concerns identified as New Market Solutions LLC, an Arizona corporation, having an
address at 4720 W. Arivaca Rd. Arivaca, AZ 85645.

We further respectively declare that New Market Solutions LLC is a small
business concern that qualifies as a small business concern as defined in 37 C.F.R. §§
1.9(c) and 1.27(c) for purposes of paying reduced fees under Sections 41(a) and 1.27(c).

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Title 35, United States Code, to the Patent and Trademark Office with regard to the invention described in the above-identified patent application being filed herewith, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of the Declaration Claiming Small Entity Status, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party (or parties) controls or has the power to control both.

We further respectfully declare that rights under contract or law for the above-identified invention and patent application have been conveyed to, and remain with, the small business concerns identified above. These rights are exclusive and no rights to the invention are held by any person, other than the inventors, who would not qualify as an independent inventor under 37 CFR § 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR § 1.9(d) or a nonprofit organization under 37 CFR § 1.9(e).

We each acknowledge the duty to file in this application notification of any change in status resulting in loss of entitlement to small entity prior to paying, or at the time of paying, the earliest of the issue date after the date on which status as a small entity is no longer appropriate. (37 C.F.R. § 1.28(b)).

We each hereby declare that all statements made herein on knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements

may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Date: 20 December 1999

Anthony F. Herbst
Anthony F. Herbst

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El Paso, Texas
79912-2321

U.S. Citizen

Date: _____, 1999

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Date: _____, 1999

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